IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

Crl.Rev.Pet.No. 1719 of 2007()

CRA.236/2005 of SESSIONS COURT, KALPETTA
CC.30/2005 of JUDL. MAGISTRATE OF FIRST CLASS-II, SULTHANBATHERY

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REVN. PETITIONER: APPELLANT/ACCUSED

LALBERT.C. CHERIYAN,
AGED 40, S/O.CHERIYAN, CHETTIYAMKUDIYIL HOUSE,
POTHANICAD. P.O., ERNAKULAM.

BY ADV. SRI.C.P.UDAYABHANU

RESPONDENTS: COMPLAINANT

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1. RAVEENDRAN AGED 56,
S/O.PURUSHOTHAMAN, KUDIYIL VEEDU,
PULPPALLI P.O., SULTHAN BATHERI.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.PAUL K.PETER
SRI.K.P.SAJI
PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR FOR R2

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 27/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl. R.P. No. 1719 of 2007

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Dated, this the 27th day of June 2007

ORDER

The accused in C.C. No.30 of 2005 on th**e file** of the J.F.C.M- II, Sulthan Bathery, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A 7034 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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